



RICHPARK HOMES

Planning Justification Report
June 2020



RICHPARK HOMES (THORNBURY) LTD

PLANNING JUSTIFICATION REPORT

TRAVIS & ASSOCIATES

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Proposed Zoning By-law

EXECUTIVE SUMMARY

Richpark Homes (Thornbury) Ltd is proposing a residential development on the east side of Peel Street North and north of Highway 26 in Thornbury, Town of The Blue Mountains. The approved site plan (with an executed Site Plan Agreement dated April 17, 2020) will result in development of 2 single detached dwellings and 22 semi-detached dwellings in a condominium form of tenure and on full municipal services.

For a variety of implementation reasons, the Owner has decided to pursue a Common Elements type of condominium. This means that the dwelling units will sit on individual lots referred to as POTLs (Parcels of Tied Land). The common element will be the condominium road and the open space land to the south. The POTLs are “tied” to the common elements. This type of condominium does not affect land use types in the Official Plan. As noted, it is a form of tenure. This type of condominium does not affect the details of the executed Site Plan Agreement.

To implement a Common Elements Condominium approach, the Owner will create the POTLs through Part Lot Control provisions of the Planning Act. In order to utilize these provisions, the Act requires that the lands have subdivision approval.

The application for Draft Plan approval seeks approval for a one block subdivision in order to utilize Part Lot control provisions under the Planning Act.

In addition to Draft Plan approval, an amendment to the Zoning By-law is required in order to reflect the type of condominium. Current By-law provisions treat building setbacks as if the condominium is one single property, notwithstanding that 24 dwelling units are to be built. Therefore, 7.5m setbacks are applied to all the yards. These provisions as written are sufficient to recognize and enable a Standard Condominium type. However, to implement a Common Elements Condominium type, the existing provisions require a minor adjustment in wording to the effect that lands within this zone shall be considered to be one contiguous lot.

The unit design enables provision of upper decks. Current By-law provisions allow for a deck to encroach 1.5m into a required yard. For units 12 through to 21, this would limit deck width to 1.5m. In order for the decks to be more utilitarian, an additional 1.5m encroachment is necessary. As the yards in question are 7.5m and the additional deck encroachments will have no negative impacts on immediate adjacent properties, it is concluded that the request not only conforms to the intent of the Official Plan but also is a reasonable provision considering the location and nature of the development.

The Official Plans for the County of Grey and Town of The Blue Mountains designate the subject lands for residential uses on full services. Both the County of Grey Official Plan and The Town of The Blue Mountains Official Plan permit a variety of land uses on the subject lands including a range of residential dwelling types. The subject applications do not propose to change land use. The subject applications conform to these upper and lower tier Official Plans.

1. PURPOSE

The purpose of this Planning Justification Report (PJR) is to present and assess the proposed Redline Revision and Zoning By-law amendment. Generally, this report will:

1. Describe the existing land use context
2. Explain the planning approvals proposal
3. Identify applicable land use planning policy considerations
4. Identify supporting technical documents
5. Provide a planning analysis
6. Summarize findings

2. SITE DESCRIPTION

The subject lands comprise approximately 1.29 ha with a 126m frontage along the east side of Peel Street North and a depth of between 89m and 164m. Topographically, the lands slope from the north (King Street) to the south-east (Highway 26). A minor watercourse traverses the site from the south-west to the north east and is situated in approximately the southerly third of the subject lands.

The subject lands will be developed on full municipal services.

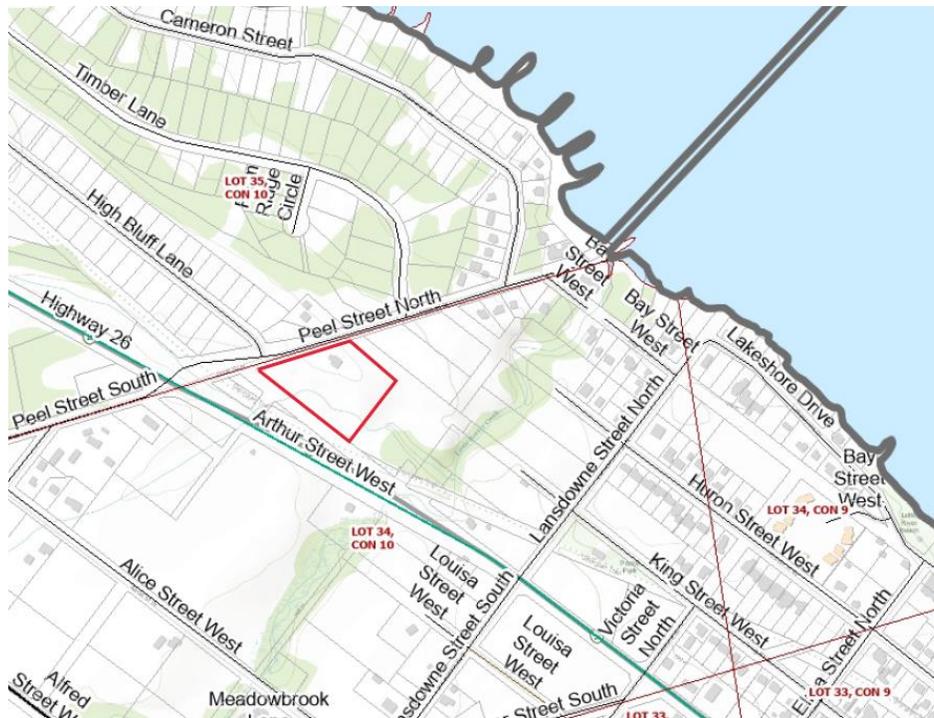


Fig. 1: Location and Context

3. SURROUNDING LAND USES

Lands to the north comprise municipal open space including a neighbourhood tennis court, and residential uses. The Georgian Trail and Highway 26 corridors are to the south. To the east are vacant lands and Hazard lands. To west is a subdivision serviced by High Bluff Lane, a municipal road.

4. PROPOSAL

The subject applications seek approval for a Draft Plan of Subdivision and a minor amendment to the Zoning By-law.

4.1 Draft Plan of Subdivision

For a variety of implementation reasons, the Owner has decided to proceed with a Common Elements type of condominium. To achieve this a Draft Plan of Subdivision is technically required (Fig. 2).

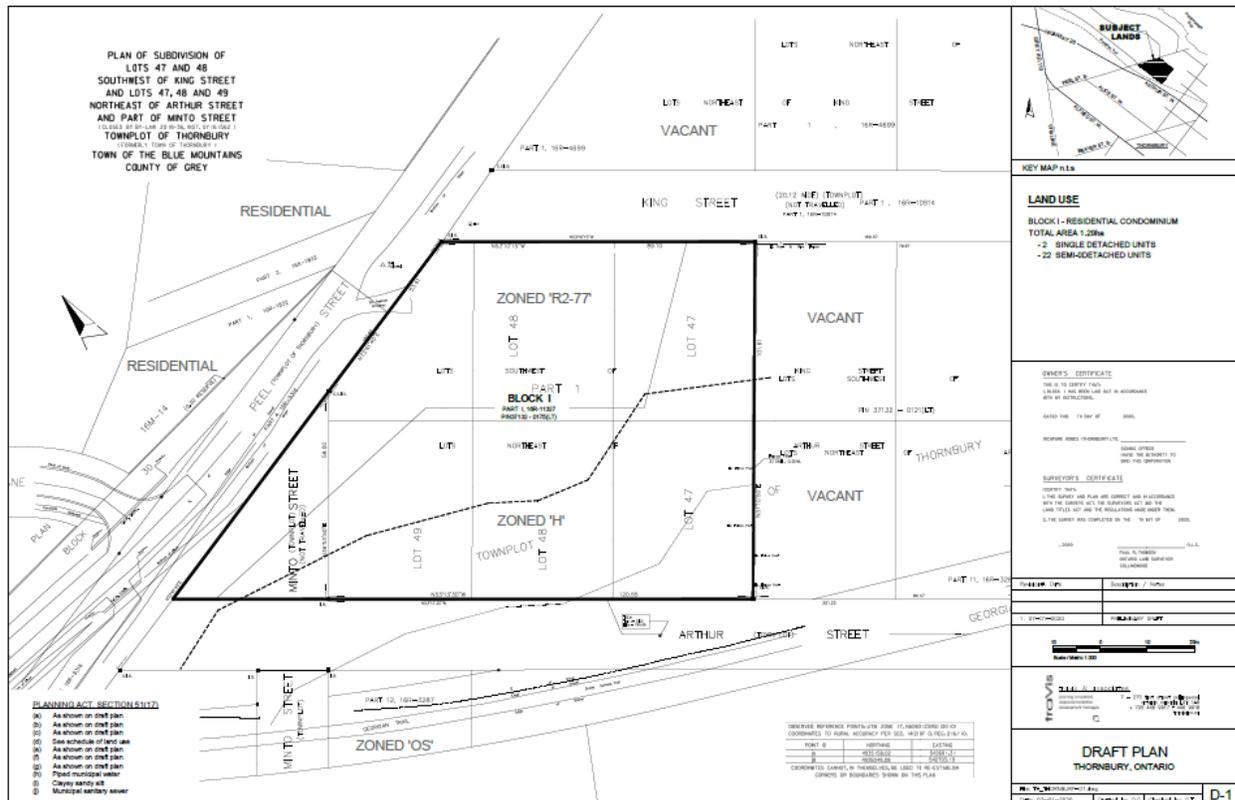


Fig.2: Proposed Draft Plan

The application for Draft Plan approval seeks approval for a 1.29ha one block subdivision (Fig.2) in order to utilize Part Lot control provisions under the Planning Act.

The Common Elements Condominium approach means that the dwelling units will sit on individual lots that are described as POTLs (Parcels of Tied Land). The common element will be the condominium road and the open space land to the south. The POTLs are “tied” to the common elements. This relationship is illustrated in Fig. 3.

This type of condominium does not affect land use types in the Official Plan. As noted, it is a form of tenure. This type of condominium does not affect the details of the executed Site Plan Agreement.

To implement a Common Elements Condominium approach, the Owner will create the POTLs through Part Lot Control provisions of the Planning Act. In order to utilize these provisions, the Act requires that the lands have subdivision approval.

At time of Site Plan Agreement execution, the type of condominium was noted as a “Standard Condominium” (Schedule “C”, Part 5). Part 5 stipulates that in the event that the developer wishes to change to another type of condominium it shall be at the sole cost of the developer. Nonetheless, the Site Plan Agreement anticipates that other types of condominiums may be utilized as Section 3.4.2 to the agreement is specifically written for the option of a Vacant Land Condominium or a Common Elements Condominium type.

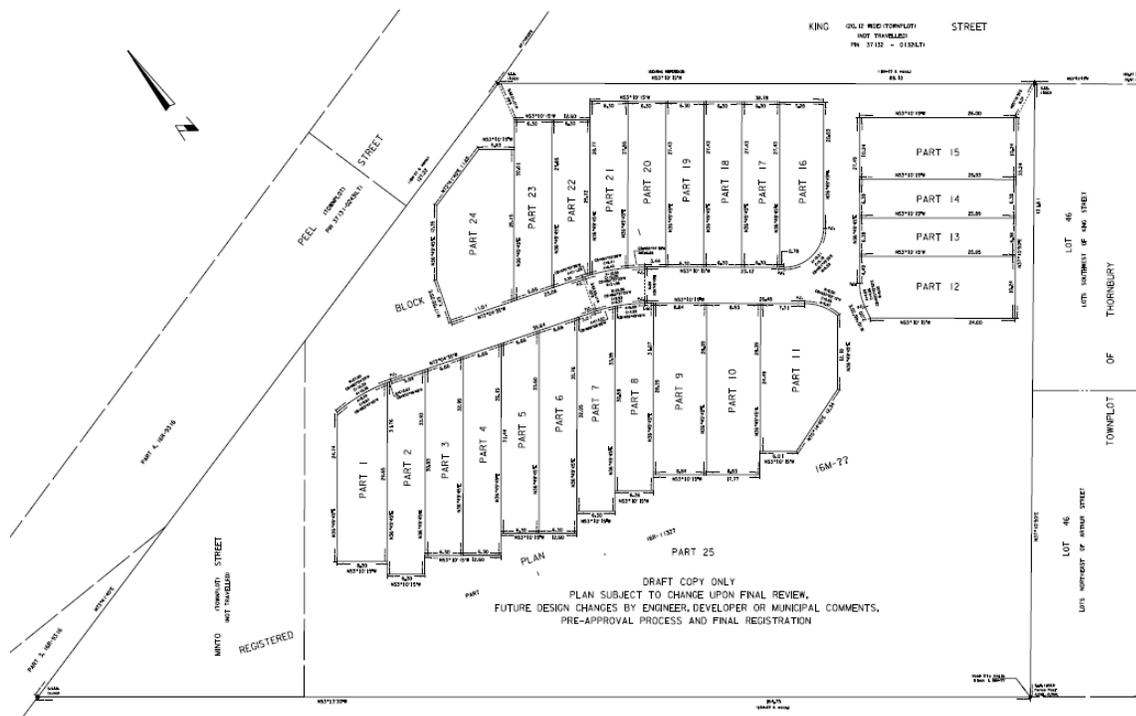


Fig.3: Proposed POTL’s (Parts 1 to 24) and Common Element (Part 25) for Discussion Purposes Only

A similar condominium type was zoned and approved by the municipality and now has its last phase under construction. This 19-unit townhouse condominium is located west of Arrowhead Road (Timberwolf). Zoning, Site Plan and Part Lot Control were all part of the approvals necessary to implement development.

4.2 Zoning By-law Amendment

The subject lands are zoned “R2-77” (Fig.4). An amendment to the Zoning By-law is required in order to reflect the Common Elements type of condominium. Exception 77 (Fig.5) applies site specific regulations.

Current By-law provisions treat building setbacks as if the condominium is one single property, notwithstanding that 24 dwelling units are to be built. Therefore, 7.5m setbacks are applied to all the yards. As written these provisions are typical applications to recognize and enable a Standard Condominium type. However, to implement a Common Elements Condominium type, the existing provisions require a minor adjustment in wording to the effect that lands within this zone shall be considered to be one contiguous lot.

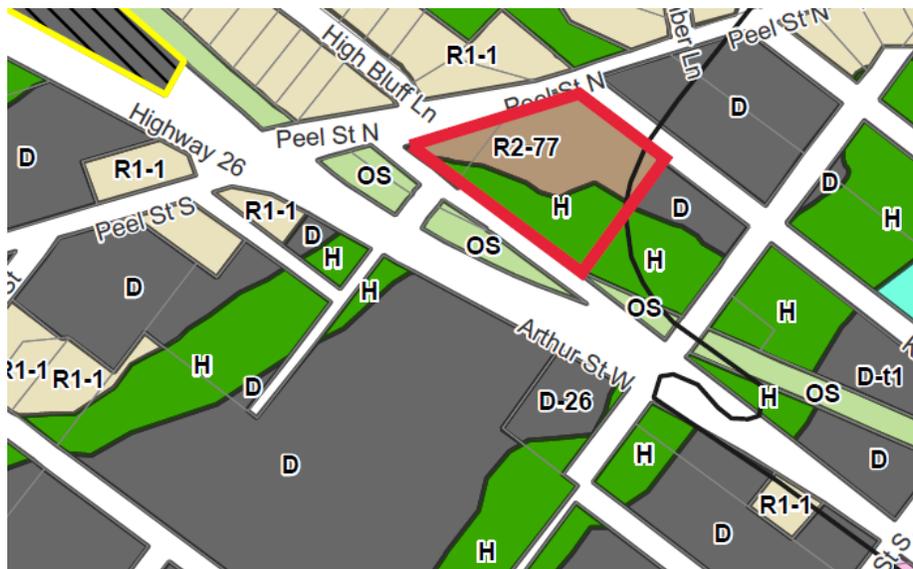


Fig.4: Subject Lands and Existing Zoning

77	R2-77	<p>These lands shall only be used for a maximum of twenty-two (22) semi-detached dwellings, two (2) single detached dwellings and buildings, structures and accessory uses to the foregoing permitted uses. The semi-detached dwelling Zone Standards identified in Table 6.2.2 to this By-law shall also apply to single detached dwellings. The following provisions shall apply for all single detached dwellings and semi-detached dwellings on these lands:</p> <ul style="list-style-type: none"> • The minimum front yard setback shall be 7.5 metres; • The minimum interior/exterior side yard setback shall be 7.5 metres; • The minimum rear yard setback shall be 7.5 metres; and, • The maximum permitted height shall be 2 storeys.
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Fig.5: Existing Zoning By-law Exception 77 on Subject Lands

Therefore, the proposed amendment will seek to add the following wording to Exception 77:

“For the purposes of applying the front, interior, exterior and rear yard setbacks the lands shall be considered to be one contiguous lot.”

In addition, the unit design enables provision of individual decks. Current By-law provisions allow for a deck to encroach 1.5m into a required yard. For units 12 through to 21, this would limit deck width to 1.5m. In order for the decks to be more utilitarian, an additional 1.5m encroachment is necessary. The utility of the additional deck space is illustrated in Fig.

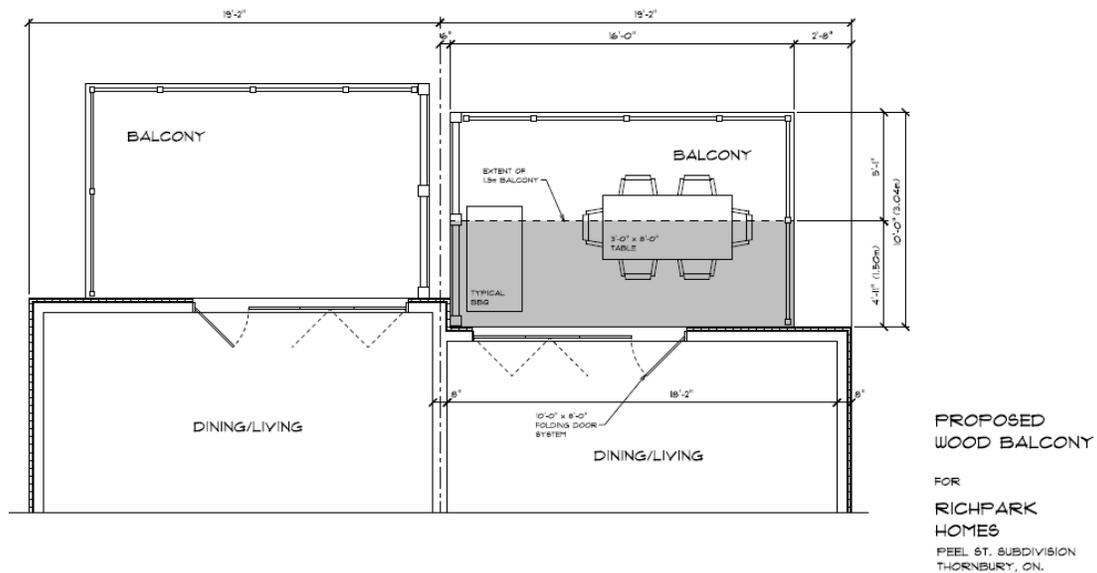


Fig. 6: Upper Deck Layout Showing a Standard Layout

Given that a zoning By-law amendment is required to account for the “type” of condominium, the Town has advised that the additional permission for the decks should be included. As the yards in question are 7.5m and the additional deck encroachments will have no negative impacts on immediate adjacent properties, it is concluded that the request not only conforms to the intent of the Official Plan but also is a reasonable provision considering the location and nature of the development.

Therefore, Exception 77 provisions are requested to be amended to include the following additional wording:

“Upper deck yard encroachments for units 12 through 21 shall be limited to an additional 1.5m for a total encroachment of 3.0.”

A proposed amendment to the Zoning By-law is attached as Appendix 2.

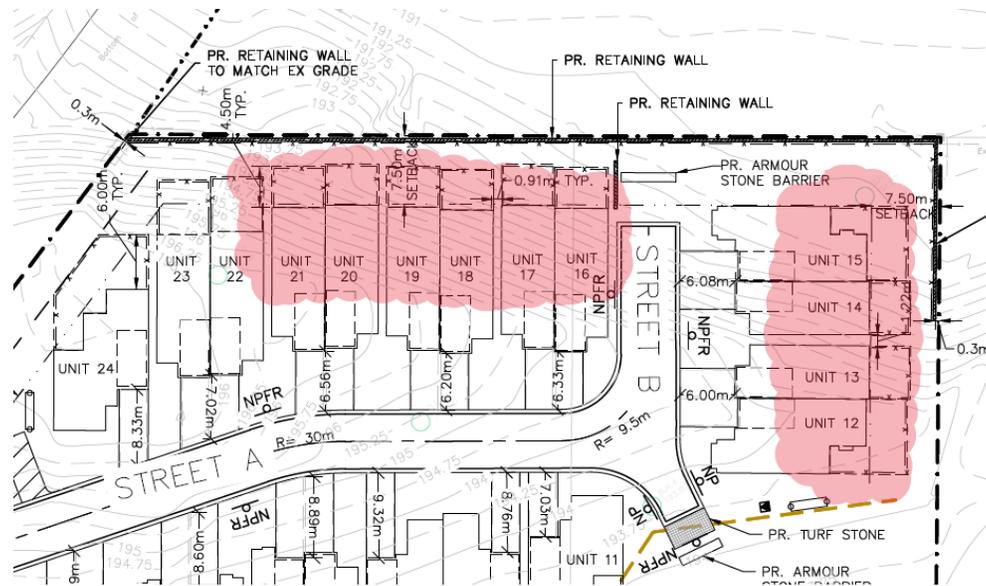


Fig.7: Deck Yard Encroachment Locations – Units 12 through 21

5. BACKGROUND

The subject lands have a relatively long approvals history. Below is a Chronology that summarizes this history. Overall, the subject lands are zoned to permit 2 single detached dwelling units and 22 semi-detached dwelling units in a condominium type of tenure. A Site Plan Agreement was executed on April 17, 2020.

Chronology:

1. 2014:
Zoning By-law Amendment 2014-78 was approved to permit 2 single-detached and 22 semi-detached dwellings with site specific provisions specifying, among other matters that the yard setbacks be at 7.5m. This assumed that the lands would be developed as one block as these setbacks did not apply to individual units.
2. 2018:
Owner acquired an un-opened part of Minto Street from the Town to be incorporated into the development plan.
3. June 7, 2018:
Site Plan Application Submitted for 2 single detached and 22 semi-detached dwellings.

Richpark Homes has been actively working with municipal, County and Conservation Authority departments for well over two years. Their investment and attention to improving the watercourse is an example of their commitment to the Town and to this project. The chronology demonstrates a continuous local presence and effort.

6. PLANNING ACT

The *Planning Act* is the legislated basis for land use planning in Ontario. It provides for policy and regulatory direction and permissions for how land use is controlled.

Part 1, Section 2 to the Planning Act directs that among other matters, a Council of a Municipality shall have regard to matters of provincial interest. Section 2 identifies 20 such matters 2(a) through(s).

By virtue of the approved status of the Official Plans of both the County and the Town most matters have been addressed in that the subject lands are designated in both Official Plans for development on full municipal services. In other words, the principles of land use development are clearly established and approvals to date (through zoning and site plan approval) detail further matters demonstrating regard for provincial interest executed at a detailed level.

For ease of reference, the following is provided (reference to each subsection per above noted Section 2:

- (a) Addressed through the underlying land use designations in the Official Plans. Also, as identified and addressed through submitted EIS and engineering reports.
- (b) Addressed by virtue of the approved land use designations.
- (c) Addressed through the approved land use designations and submitted reports and studies.
- (d) Addressed through the Archaeological Stage 1 and 2 report as submitted with the applications.
- (e) Addressed through utilization of existing municipal infrastructure.
- (f) Per (e) above.
- (g) Per (e) above.
- (h) Per (c) above. (h.1) to be addressed at building permit stage through compliance with the Ontario Building Code among others.
- (i) Per (c) above.
- (j) Provision of relatively small lots (in context of existing and approved developments in the immediate area) including semi-detached dwelling types.
- (k) Not applicable.
- (l) The proposed development is in accordance with approved Official Plan policies, is subject to imposed Development Charges and, will be subject to standard MPAC valuations and property tax requirements.
- (m) Is met through established, coordinated public review, comment processes under provisions of the Act and in accordance with municipal standards including processes and approvals resulting in approvals and development agreements to date.

- (n) Per (m) above.
- (o) Per (c) and (m) above.
- (p) Per (a) above.
- (q) Addressed and assisted through development design that will enable transit route connections and coordinated public walkway and trail connections to the broader community.
- (r) Addressed through development design implementing broader Official Plan policy in addition to design and build standards per (a), (m) and (q) above through zoning and the executed Site Plan Development Agreement with the municipality.
- (s) Per (q) above.

Section 51 (24) requires that consideration of a draft plan of subdivision shall have regard for several additional matters. These are addressed as follows:

- (a) See above.
- (b) Addressed by approved Official Plan and municipal servicing schemes.
- (c) Addressed herein.
- (d) Addressed by the approved Official Plan land use designations along with the supporting engineering reports and studies. (d.1) – not applicable.
- (e) Addressed in engineering servicing and traffic reports submitted in support of the Site Plan Application (and approval with a Site Plan Agreement executed April 17, 2020).
- (f) Addressed in the approved detailed development design that accounts for accepted municipal zoning By-law performance regulations for residential lots. Subject lots are consistent with accepted standards and are similar to several approved subdivision plans within the municipality.
- (g) Addressed in the approved zoning By-law and further refined in the proposed amendment herein.
- (h) Addressed through submitted EIS and engineering studies with appropriate lands set aside for conservation, drainage and flood control measures. Official Plan land use designation and approved zoning in place to protect identified features and lands.
- (i) Addressed in the engineering reports submitted that conclude subject lands can be serviced with existing infrastructure.
- (j) Addressed through response from School Boards.
- (k) Appropriate lands and location accounted for in the approved site plan as a result of design in accordance with engineering and EIS report conclusions.
- (l) Addressed through development design enabling transit connections along with pedestrian connections to adjacent existing and future developments.
- (m) The proposed development was subject to detailed site plan control measures and requirements resulting in an executed Site Plan Development Agreement (April 17, 2020) in accordance with the municipal Site Plan Control By-law.

In summary, the subject application complies with the relevant provisions of the Planning Act referred to above.

7. PLANNING POLICY CONSIDERATIONS AND ANALYSIS

The Lands are located in Town of The Blue Mountains, Ontario – a municipality that is subject to several layers of policy direction. The two provincial level policy instruments are the Provincial Policy Statement, 2014 (the “PPS”) and, the Niagara Escarpment Plan, 2017 (NEP). As the subject lands are not situated within the NEP this policy plan is not referenced herein. The two municipal policy instruments are the County of Grey Official Plan (the County Official Plan) and, the Town of Town of The Blue Mountains Official Plan (the Town Official Plan). This Section considers the subject applications in the context of these hierarchical policy instruments.

7.1 Provincial Policy Statement

The 2020 Provincial Policy Statement (PPS) came into effect May 1, 2020 and replaced the previous 2014 PPS. It remains a province wide policy directive on matters of provincial interest in land use planning.

The entire PPS has been reviewed. The following summarizes Part V policies area that are relevant to the subject applications and development.

Section 1: As the subject applications would enable development in a primary settlement area on full municipal services and contribute to broadening the available range of dwelling types in the municipality, it is concluded that the applications are consistent with Section 1.1 (efficient and resilient communities).

Extensive study and consultation affecting the subject lands to date, along with the subject applications herein demonstrate consistency with Section 1.2 (coordination).

Likewise, the subject applications are consistent with Sections 1.4, 1.5 and 1.6 due to location, nature and scale of the development (housing, open spaces, infrastructure). Development of the subject lands will result in adding to the mix of available housing, contribute to the municipal parks and open space systems and enable continued efficient servicing due to housing density and type and location.

Section 2: The subject applications are consistent with Sections 2.1 and 2.2 (natural heritage and water) as natural features are respected through existing policy and zoning and enhanced through approved watercourse improvements completed in 2018 in accordance with approved Development Permits issued by the Grey Sauble Conservation Authority. The subject applications are consistent with Section 2.6 as a Stage 1 and Stage 2 archaeological investigation and study were completed and accepted. This study concluded that the subject lands exhibited no archeological resources or potential areas of interest.

Section 3: The subject applications are consistent with Natural Hazards policy in that extensive review and study were undertaken to identify and address adjacent natural features to the satisfaction of the appropriate review agencies. The areas of interest are protected through existing local Official Plan policy and zoning By-law regulations.

Overall, given the location of the subject lands, the subject application is consistent with these directions, in particular the notion of efficient use of land, housing types, municipal infrastructure along with the ability to support transit and active transportation initiatives.

7.2 Grey County Official Plan

The County of Grey Official Plan was approved by the Province on June 6, 2019. This 2019 Official Plan was the result of an extensive Official Plan Review undertaken by the County to update policies and directions.

Under Schedule A, Land Use Designations, Map 2 to the Official Plan (Fig. 9) the subject lands are designated as being within a “Primary Settlement Area”. This is further detailed in the Secondary Schedule Map 2a, Thornbury Clarksburg (Fig.10). Such areas provide full municipal services and “are intended to be the primary target for residential and non-residential growth” (S.3.3). Permitted uses include a full range of residential uses at a minimum density of 20 units per ha (S.3.5).

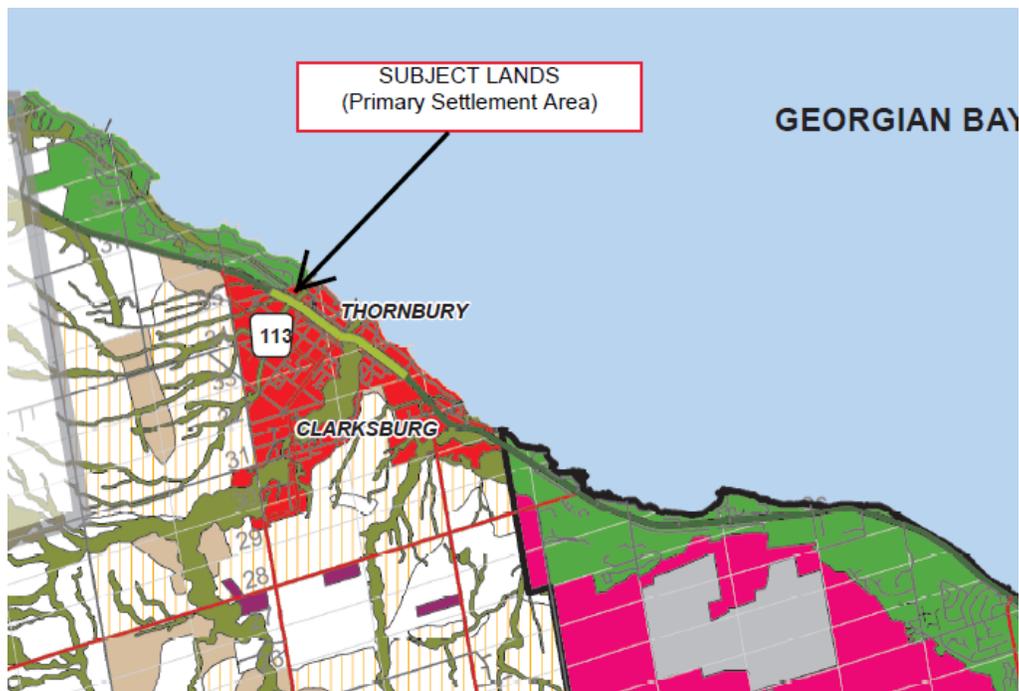


Fig.9: Grey County Official Plan Map 2: Land Use Types

With regards to land use it is concluded that the proposed use of the subject lands conforms to the land use intent of the County Official Plan. On the matter of the specific minimum density of 20 upha we note that Section 3.5 refers to “net” hectare. The subject lands are about 1.29 ha in total, or gross. Section 9.18 defines “net hectare” as lands excluding among other uses, roads, parks and hazard lands. The subject lands have approximately 0.5ha of lands that are part of the Hazard designation and corresponding zone. The resulting density calculation using this variable alone would be: 24 units

$\frac{1.29\text{ha} - 0.5\text{h}}{1} = 30\text{upha}$. Density of the development conforms with the directions of the County Official Plan.

In terms of site location and land use type, the subject applications conform to the Grey County Official Plan.



Figure 10: County of Grey Official Plan Secondary Schedule Map 2a Land Use Types Thornbury

In addition to the land use conformity matter, Section 9.13 provides for 6 matters that an application for a new plan of subdivision or condominium should consider and the proponents “be prepared to justify”. The subject application successfully addresses these considerations as demonstrated below:

1. Subdivision Layout: Although the proposed Draft Plan is unusually comprised of one block, the underlying development scheme represented through the approved site plan (see Fig.2) addresses key layout objectives. The proposed layout enables access off a serviced year-round municipal road with planned upgrades that improve municipal standard road rights of addressing vehicular and pedestrian connectivity. Provisions for municipal sidewalks and off-road trail connections in addition to a transit supportive road layout assist in non-car transportation options and “walkability”. Public open space connections (Georgian Trail and improved trail head facility) are significant components and attributes of the approved Site Plan.

2. Housing Range: This is addressed as the approved Site Plan enables development of 2 single detached dwellings and 22 semi-detached dwellings adding to the variety of housing forms in the neighbourhood.
3. Housing Mix: Per 2, above. In addition, due to distance from community support facilities (at a town level), the subject lands are not ideally situated to support homes for the aged or assisted living.
4. Affordable Housing: Per 3, above. In addition, the local municipality is actively pursuing affordable housing opportunities on more suitable sites (i.e., closer to local shopping and capable of being serviced by transit).
5. PPS and Local Official Plan: Consistency and conformity is confirmed in Sections 7.1, 7.2, and 7.3 to this PJR.
6. Complete Application: Through preconsultation with the County existing advanced municipal approvals through the local Site Plan Approval process has resulted in completion of several detailed studies. These have been made available to the County and the list of completed studies is detailed in Section 8 to this PJR.

It is concluded that the subject applications conform to the intent of the County Official Plan on the basis of location, land use type and, consistency with existing approved site plans.

7.3 Town of Town of The Blue Mountains Official Plan

The Town of The Blue Mountains Official Plan (the Official Plan) was approved in June, 2016. In reviewing the Official Plan, the following are among key policies applicable to the subject application.

Schedule 'A-2' shows the subject lands as being within the "Community Living Area" designation along with a "Hazard" designation (Fig.11). The Community Living Area designation lands are the location of the residential development and, the Hazard lands are not subject to development.

Section B3.1.3 stipulates a range of permitted uses that included in the excerpt provided below. The subject applications conform to the land use designation and enable development of the subject lands for the single detached and semi-detached dwelling uses that are included in the range of permitted uses.

As noted previously, development of the subject lands is also governed by an executed Site Plan Agreement with the municipality. Local Official Plan policy was reviewed in detail as part of that process. The net results of the subject applications herein have no impact on the land use form or density of development already deemed to conform to the Official Plan by virtue of Site Plan Approval. As the nature of the subject applications is one of an implementation detail (that is, to permit a form of condominium type and, a minor consideration of a deck encroachment) it is concluded that there is no issue with regards to Official Plan conformity.

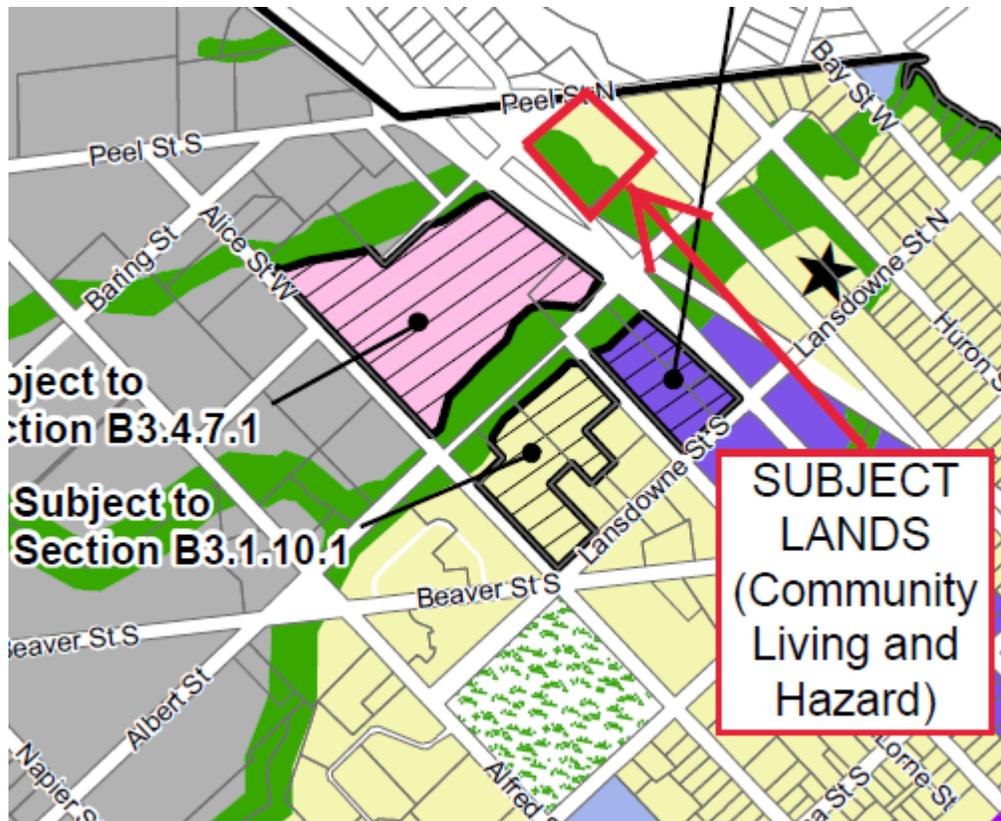


Fig. 11: Town of Blue Mountains Official Plan Schedule A-2 Land Use

The subject applications conform to the local Official Plan land use direction by providing residential dwelling units in a form and density permitted by the Official Plan. In addition, the approved site plan design accounts for identified environmental features, open space provisions and infrastructure standards and layout.

8.0 SUPPORTING STUDIES AND ANALYSIS

Over the course of a detailed site plan review and approvals process that has resulted in an executed Site Plan Agreement the following reports and studies were undertaken, submitted, reviewed and endorsed/approved. It is noted that both the County and Town advised that for the purposes of the subject applications no further reports are required (other than this PJR). The list of submissions is provided below.

<i>Number</i>	<i>Date</i>	<i>Name of Report</i>	<i>Author</i>
1	April 2008	Lora Bay Heights: Proposed Channel Realignment	Gartner Lee Limited
2	October 2008	AECOM: Letter of Intent for channel realignment	Gartner Lee Limited
3	April 2009	Drainage Report	Stantec Consulting Ltd.
4	May 2009	Fish and Habitat Existing Conditions Report	Stantec Consulting Ltd.
5	April 2018	Technical Design Brief: Tributary of Little Beaver River	GEO Morphix Ltd.
6	April 2018	Hydrology and Hydraulics Report	C.F. Crozier & Associates Inc.
7	June 2018	Servicing & Stormwater Management Implementation Report	C.F. Crozier & Associates Inc.
8	October 2018	Servicing & Stormwater Management Implementation Report	C.F. Crozier & Associates Inc.
9	October 15, 2018	Technical Design Brief: Tributary of Little Beaver River	GEO Morphix Ltd.
10	May 23, 2018	Geotechnical Report	Peto McCallum Ltd.
11	October 19, 2018	Geotechnical Report	Peto McCallum Ltd.
12	December 2018	Geotechnical Report	Peto McCallum Ltd.
13	April 17, 2019	Phase I Environmental Report	Rubicon (2018) Environmental Inc.
14	April 29, 2019	Moisture Density Relationship Test	C.F. Crozier & Associates Inc.
15	July 23, 2019	Stage 1-2 Archaeological Assessment	Timmins Martelle Heritage Consultants Inc.
16	August 15, 2019	Entry into the Ontario Public Register of Archaeological Reports	Ministry of Tourism, Culture and Sport

Fig.12 Studies and Reports Relating to Subject Lands and Applications

9.0 SUMMARY/CONCLUSION

Richpark Homes (Thornbury) Ltd is proposing a residential development on the east side of Peel Street North and north of Highway 26 in Thornbury, Town of The Blue Mountains. A Site Plan (S. 41) is approved and a Site Plan Agreement was executed on April 12, 2029. The Site Plan will result in development of 2 single detached dwellings and 22 semi-detached dwellings in a condominium form of tenure and on full municipal services.

For a variety of implementation reasons, the Owner has decided to pursue a Common Elements type of condominium. This means that the dwelling units will sit on individual lots referred to as POTLs (Parcels of Tied Land).

The application for Draft Plan (S. 50) approval seeks approval for a one block subdivision in order to utilize Part Lot control provisions under the Planning Act (S.50.(5)).

In addition to Draft Plan approval, an amendment to the Zoning By-law (S. 34 (10)) is required in order to reflect the type of condominium. To implement a Common Elements Condominium type, the existing site specific By-law provisions require a minor adjustment in wording to the effect that lands within this zone shall be considered to be one contiguous lot.

The unit design enables provision of upper decks. Current By-law provisions allow for a deck to encroach 1.5m into a required yard. For units 12 through to 21, this would limit deck width to 1.5m. In order for the decks to be more utilitarian, an additional 1.5m encroachment is necessary. As the yards in question are 7.5m and the additional deck encroachments will have no negative impacts on immediate adjacent properties, it is concluded that the request not only conforms to the intent of the Official Plan but also is a reasonable provision considering the location and nature of the development.

The Official Plans for the County of Grey and Town of The Blue Mountains designate the subject lands for residential uses on full services. Both the County of Grey Official Plan and The Town of The Blue Mountains Official Plan permit a variety of land uses on the subject lands including a range of residential dwelling types. The subject applications do not propose to change land use. The subject applications conform to these upper and lower tier Official Plans.

In reviewing the PPS it is concluded that the subject applications are consistent with the policy statement on the basis of location, land use and development specifics arrived at through several planning processes.

It is respectfully concluded that the proposal for Draft Plan Approval and a minor Zoning By-law amendment are in the public interest and represent good planning.

Prepared By:

A handwritten signature in blue ink, appearing to read "Colin Travis".

Travis and Associates
Colin Travis, MCIP RPP
June 2020

APPENDIX 1

Proposed Zoning By-law

The Corporation of the Town of The Blue Mountains

By-Law Number 2020 – XX

Being a By-law to amend Zoning By-law No. 2018-65 which may be cited as "The Town of The Blue Mountains By-law"

Whereas the Council of The Corporation of the Town of The Blue Mountains deems it necessary in the public interest to pass a by-law to amend By-law No. 2018-65;

And Whereas pursuant to the provisions of Section 34 and 36 of the Planning Act, R.S.O. 1990, c. P.13, the By-law may be amended by Council of the Municipality;

Now Therefore Council of The Corporation of the Town of The Blue Mountains hereby enacts as follows:

THAT Part 9 to the Zoning By-law of the Town of The Blue Mountains, being By-law 2018-65, as amended, is hereby amended by adding the following to Exception 77:

“XXX

RESIDENTIAL 2 EXCEPTION XX R2-XX

For the purposes of applying the front, interior, exterior and rear yard setbacks the lands shall be considered to be one contiguous lot.

Upper deck yard encroachments for units 12 through 21 shall be limited to an additional 1.5m for a total encroachment of 3.0.

And Further that this By-law shall come into force and take effect upon the enactment thereof.

Enacted and passed this ____ day of _____, 2020 _____,

Mayor _____

Corrina Giles, Clerk

I hereby certify that the foregoing is a true copy of By-law No. 2020-____ as enacted by the Council of The Corporation of the Town of The Blue Mountains on the xx day of xxx, 2020.

Dated at the Town of The Blue Mountains, this x day of xx, 2020.

Corrina Giles, Clerk

